

uals an opportunity for accelerated promotions, career broadening assignments, and specified training to prepare them for entry into acquisition positions in the Department of Defense.

(2) A cooperative education credit program under which the Secretary arranges, through cooperative arrangements entered into with one or more accredited institutions of higher education, for such institutions to grant undergraduate credit for work performed by students who are employed by the Department of Defense in acquisition positions.

(3) A scholarship program for the purpose of qualifying personnel for acquisition positions in the Department of Defense.

(b) SCHOLARSHIP PROGRAM REQUIREMENTS.—Each recipient of a scholarship under a program conducted under subsection (a)(3) shall be required to sign a written agreement that sets forth the terms and conditions of the scholarship. The agreement shall be in a form prescribed by the Secretary and shall include terms and conditions, including terms and conditions addressing reimbursement in the event that a recipient fails to fulfill the requirements of the agreement, that are comparable to those set forth as a condition for providing advanced education assistance under section 2005. The obligation to reimburse the United States under an agreement under this subsection is, for all purposes, a debt owing the United States.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1651; amended Pub. L. 108-136, div. A, title VIII, §834(a), Nov. 24, 2003, 117 Stat. 1550; Pub. L. 108-375, div. A, title VIII, §812(b), title X, §1084(f)(1), Oct. 28, 2004, 118 Stat. 2013, 2064; Pub. L. 116-92, div. A, title VIII, §861(j)(12), Dec. 20, 2019, 133 Stat. 1520.)

Editorial Notes

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116-92 substituted “acquisition positions in the Department of Defense” for “the Acquisition Corps”.

2004—Pub. L. 108-375, §1084(f)(1), amended directory language of Pub. L. 108-136, §834(a). See 2003 Amendment note below.

Pub. L. 108-375, §812(b), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

2003—Pub. L. 108-136, §834(a), as amended by Pub. L. 108-375, §1084(f)(1), amended section catchline and text generally. Prior to amendment, text read as follows: “The Secretary of Defense shall require that each military department conduct an intern program for purposes of providing highly qualified and talented individuals an opportunity for accelerated promotions, career broadening assignments, and specified training to prepare them for entry into the Acquisition Corps.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-375, div. A, title X, §1084(f), Oct. 28, 2004, 118 Stat. 2064, provided that the amendment made by section 1084(f)(1) is effective as of Nov. 24, 2003, and as if included in Pub. L. 108-136 as enacted.

[§§ 1743, 1744. Repealed. Pub. L. 108-136, div. A, title VIII, §834(b), Nov. 24, 2003, 117 Stat. 1551]

Section 1743, added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1651, related to cooperative education program.

Section 1744, added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1652; amended Pub. L. 102-484, div. A, title VIII, §812(f), Oct. 23, 1992, 106 Stat. 2451; Pub. L. 108-136, div. A, title VIII, §832(c), Nov. 24, 2003, 117 Stat. 1550, related to scholarship program.

§ 1745. Additional education and training programs available to acquisition personnel

(a) TUITION REIMBURSEMENT AND TRAINING.—(1) The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2010, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

(3) In the case of members of the armed forces, the limitation in section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.

(b) REPAYMENT OF STUDENT LOANS.—The Secretary of Defense may repay all or part of a student loan under section 5379 of title 5 for an employee of the Department of Defense appointed to an acquisition position.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1653; amended Pub. L. 104-106, div. A, title XV, §1503(a)(15), Feb. 10, 1996, 110 Stat. 511; Pub. L. 106-65, div. A, title IX, §925(a), Oct. 5, 1999, 113 Stat. 726; Pub. L. 106-398, §1 [[div. A], title XI, §1123], Oct. 30, 2000, 114 Stat. 1654, 1654A-317.)

Editorial Notes

AMENDMENTS

2000—Subsec. (a)(2). Pub. L. 106-398 substituted “September 30, 2010” for “September 30, 2001”.

1999—Subsec. (a). Pub. L. 106-65 amended heading and text of subsec. (a) generally. Text read as follows: “The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) under section 4107(b) of title 5 for acquisition personnel in the Department of Defense for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.”

1996—Subsec. (a). Pub. L. 104-106 substituted “section 4107(b)” for “section 4107(d)” in two places.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-65, div. A, title IX, §925(b), Oct. 5, 1999, 113 Stat. 726, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to charges for tuition or expenses incurred after the date of the enactment of this Act [Oct. 5, 1999].”

§ 1746. Defense Acquisition University

(a) DEFENSE ACQUISITION UNIVERSITY STRUCTURE.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and maintain a defense acquisition university structure to provide for—

- (1) the professional educational development and training of the acquisition workforce; and
- (2) research and analysis of defense acquisition policy issues from an academic perspective.

(b) CIVILIAN FACULTY MEMBERS.—(1) The Secretary of Defense may employ as many civilians as professors, instructors, and lecturers in the defense acquisition university structure as the Secretary considers necessary.

(2) The professors, instructors, and lecturers employed under paragraph (1) shall include individuals from civilian colleges or universities that are not owned or operated by the Federal Government, commercial learning and development organizations, industry, or federally funded research and development centers.

(3) The Secretary of Defense shall ensure that—

(A) not later than September 1, 2021, not less than five full-time visiting professors employed under paragraph (1) are from civilian colleges or universities described under paragraph (2); and

(B) not later than September 1, 2022, not less than ten full-time visiting professors employed under paragraph (1) are from such civilian colleges or universities.

(4) The compensation of persons employed under this subsection shall be as prescribed by the Secretary.

(5) In this subsection, the term “defense acquisition university” includes the Defense Systems Management College.

(c) CURRICULUM DEVELOPMENT.—The President of the Defense Acquisition University shall work with the relevant professional schools and degree-granting institutions of the Department of Defense and military departments, and with commercial training providers, to ensure that best practices are used in curriculum development to support acquisition workforce positions.

(d) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—(1) In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary may enter into such contract or cooperative agreement or award such grant through the Defense Acquisition University.

(2) The Defense Acquisition University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(Added Pub. L. 101–510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1653; amended Pub. L. 103–160, div. A, title IX, §904(d)(1), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 104–106, div. A, title XV, §1503(a)(16), Feb. 10, 1996, 110 Stat. 512; Pub. L.

107–107, div. A, title X, §1048(b)(2), Dec. 28, 2001, 115 Stat. 1225; Pub. L. 111–383, div. A, title VIII, §877(c)(1), (2)(A), Jan. 7, 2011, 124 Stat. 4306; Pub. L. 114–328, div. A, title II, §214(b), Dec. 23, 2016, 130 Stat. 2048; Pub. L. 116–92, div. A, title VIII, §861(c), title IX, §902(23), Dec. 20, 2019, 133 Stat. 1516, 1545; Pub. L. 116–283, div. A, title X, §1081(a)(32), title XVIII, §1841(e)(1), Jan. 1, 2021, 134 Stat. 3872, 4244.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(3)(A). Pub. L. 116–283, §1081(a)(32), struck out the second semicolon before “and”.

Subsec. (d)(1). Pub. L. 116–283, §1841(e)(1), substituted “section 4001” for “section 2358”.

2019—Subsec. (a). Pub. L. 116–92, §902(23), substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under Secretary of Defense for Acquisition, Technology, and Logistics” in introductory provisions.

Subsec. (b)(2) to (5). Pub. L. 116–92, §861(c)(1), added pars. (2) and (3) and redesignated former pars. (2) and (3) as (4) and (5), respectively.

Subsec. (c). Pub. L. 116–92, §861(c)(2), inserted “, and with commercial training providers,” after “military departments”.

2016—Subsec. (d). Pub. L. 114–328 added subsec. (d).

2011—Pub. L. 111–383, §877(c)(2)(A), substituted “Defense Acquisition University” for “Defense acquisition university structure” in section catchline.

Subsec. (c). Pub. L. 111–383, §877(c)(1), added subsec. (c).

2001—Subsec. (a). Pub. L. 107–107 substituted “Under Secretary of Defense for Acquisition, Technology, and Logistics” for “Under Secretary of Defense for Acquisition and Technology” in introductory provisions.

1996—Subsec. (a). Pub. L. 104–106 struck out “(1)” before “The Secretary of Defense” and redesignated subpars. (A) and (B) as pars. (1) and (2), respectively.

1993—Subsec. (a)(1). Pub. L. 103–160 substituted “Under Secretary of Defense for Acquisition and Technology” for “Under Secretary of Defense for Acquisition”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1841(e)(1) of Pub. L. 116–283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116–283, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE

Pub. L. 101–510, div. A, title XII, §1209(h)(1), Nov. 5, 1990, 104 Stat. 1667, provided that: “Subsection (b) of section 1746 of title 10, United States Code (as added by section 1202), shall take effect with respect to the Defense Systems Management College on the date of the enactment of this Act [Nov. 5, 1990].”

TRAINING IN COMMERCIAL ITEMS PROCUREMENT

Pub. L. 115–91, div. A, title VIII, §850, Dec. 12, 2017, 131 Stat. 1488, provided that:

“(a) TRAINING.—Not later than one year after the date of the enactment of this Act [Dec. 12, 2017], the President of the Defense Acquisition University shall establish a comprehensive training program on part 12 of the Federal Acquisition Regulation. The training shall cover, at a minimum, the following topics:

“(1) The origin of part 12 and the congressional mandate to prefer commercial procurements.

“(2) The definition of a commercial item, with a particular focus on the ‘of a type’ concept.

“(3) Price analysis and negotiations.